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DEPARTMENT FOR S/CT AND EUR/WE

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SUBJECT: SPAIN: NATIONAL COURT CONVICTS TWENTY FOR ASSOCIATION WITH A TERRORIST GROUP

¶1. (U) The Spanish National Court (Audiencia Nacional) on February 27 convicted 20 of 30 suspected Islamist terrorists who were arrested in October 2004 (during Spain's so-called Operation Nova investigation) on charges of membership in a terrorist organization and plotting to destroy the National Court. The Court convicted 18 individuals for membership in a terrorist organization and two others for collaborating with a terrorist organization. However, the Court did not find sufficient evidence to convict on charges of plotting to destroy the National Court with a truck bomb. The sentences ranged from five to 14 years in prison, and the longest was handed down to Abdurrahmen Tahiri, also known as Mohamed Achraf, whom the tribunal believed to be the group's leader. The decision found that Tahiri was obsessed with the idea of parking a truck loaded with explosives next to the National Court, but there was no evidence indicating that he had communicated this plan to other members of the terrorist group. Aside from Tahiri, the principal convicted terrorists are, as written in Spanish: Addila Mimon (11 years), Abdelkrim Bensmai, Said Afif, Hoari Jera and Mohamed Boukiri (10 years each).

¶2. (SBU) COMMENT: The prominence and importance in Spain of the Operation Nova trial was second only to the process to try those suspected in the Madrid train bombings of March 11, 2004. In the wake of the verdicts, some Spanish media criticized the inability of the National Court to find enough evidence to convict on charges of attempting to blow up the National Court, and some have alleged incompetence on the part of Spanish law enforcement and the investigative magistrates. We believe rather that Spanish authorities may have been understandably over-sensitive to Islamic terror threats just months after the March 11 bombings, and may have therefore built a case on shaky foundations. Although the Court did not find evidence of a specific plot against it, the decision clearly states that the convicted individuals formed part of a "cohesive, structured, stable, and permanent group under the leadership of Tahiri whose end goal was Jihad." Spanish law enforcement and its judiciary remain committed to fighting Islamic extremist terrorism and this decision was another victory for the U.S. and its allies in the ongoing battle against Islamic extremism.

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